

BEFORE THE DEPARTMENT OF JUSTICE
OF THE STATE OF MONTANA

In the matter of the adoption of NEW)
RULE I concerning audit data storage) CORRECTED NOTICE OF
devices and the amendment of ARM) ADOPTION AND AMENDMENT
23.16.1802 concerning definitions and)
ARM 23.16.1827 concerning record)
keeping requirements)

TO: All Concerned Persons

1. On December 11, 2008, the Department of Justice published MAR Notice No. 23-16-207, regarding the public hearing on the proposed adoption and amendment of the above-stated rules at page 2540, 2008 Montana Administrative Register, Issue Number 23. On January 29, 2009, the department published the notice of adoption and amendment at page 84 of the 2009 Montana Administrative Register, Issue Number 2.

2. The department is correcting a grammatical error in New Rule I and clarifying Richard Ask's title in the comments and editing Mr. Kamerzel's comment for better clarification. The rule, as amended in corrected form, reads as follows, deleted matter interlined, new matter underlined.

NEW RULE I (23.16.1902) AUDIT DATA STORAGE DEVICES (1) The department may approve a VGM (video gambling machine) utilizing an ASD (audit storage device) for use in place of duplicate printed audit tapes. Each VGM providing ASD support must be reported on a tier I ~~and~~ or tier II system and operate in the following manner:

(a) through (n) remain as adopted.

3. A public hearing was held on January 7, 2009. No adverse comments were offered at the public hearing. However, Richard Ask, the division's Acting Administrator, noted a potential conflicting variation in record keeping periods for VGMs using the ASD format.

Ben Kamerzel, Supervisor of the Technical Services Section, suggested including the label "RSA" to properly identify the type of encryption keys required under the rule.

By: /s/ Steve Bullock
STEVE BULLOCK
Attorney General
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/s/ J. Stuart Segrest
J. STUART SEGREST
Rule Reviewer

Certified to the Secretary of State February 2, 2009.